**HON'BLE THE CHIEF JUSTICE SRI G.S. SINGHVI**
**AND**
**HON'BLE SRI JUSTICE C.V. NAGARJUNA REDDY**

**Writ Appeal Nos.61, 62, 64, 75, 76, 77, 78, 79 and 80 of 2007**

**Writ Appeal No.61 of 2007**

**Between:**

The Medical Council of India, rep. by its Secretary, New Delhi

… Appellant

**And**

J. Sai Prasanna and others

… Respondents

**Writ Appeal No.62 of 2007**

**Between:**

The Medical Council of India, rep. by its Secretary, New Delhi

… Appellant

**And**

B. Rishidhar and others

… Respondents

**Writ Appeal No.64 of 2007**

**Between:**

The Medical Council of India, rep. by its Secretary, New Delhi

… Appellant

**And**

Nishida Padinjare Thiruthiyyil and others

… Respondents

**Writ Appeal No.75 of 2007**

**Between:**

The Medical Council of India, rep. by its Secretary, New Delhi

… Appellant

**And**

Varughese Padinjattadathu George and others

… Respondents

**Writ Appeal No.76 of 2007**

**Between:**

The Medical Council of India, rep. by its Secretary, New Delhi

… Appellant

**And**

Amarnath and others

… Respondents

**Writ Appeal No.77 of 2007**

**Between:**

The Medical Council of India, rep. by its Secretary, New Delhi

… Appellant

**And**

N. Shashi Kanth and others

… Respondents

**Writ Appeal No.78 of 2007**

**Between:**

The Medical Council of India, rep. by its Secretary, New Delhi

… Appellant

**And**

K. Ravikanth and others

… Respondents

**Writ Appeal No.79 of 2007**

**Between:**

The Medical Council of India, rep. by its Secretary, New Delhi

… Appellant

**And**

Tanguturi Yella Srihari and others

… Respondents

**Writ Appeal No.80 of 2007**

**Between:**

The Medical Council of India, rep. by its Secretary, New Delhi

… Appellant

**And**

E.V. Kishore Kumar Reddy and others

… Respondents

**:: JUDGMENT ::**

Counsel for the appellant in the appeals: Shri P. Sriharsha Reddy

Counsel for respondent No.1 in W.A. Nos.61 & 64 of 2007: Shri M. Naga Raju

Counsel for respondent No.1 in W.A.Nos. 62, 75, 76, 77, 78, 79 and 80 of 2007: Shri Subba Rao Korrapati

Counsel for respondent Nos.2 & 3 in the appeals: Shri A. Rajasekhar Reddy, Assistant Solicitor General

**March 26, 2007**

**Per G.S. Singhvi, CJ**

These appeals are directed against the orders dated 5-12-2006 and 13-12-2006 passed by the learned Single Judge in Writ Petition Nos.19238, 19239 and 24645, 24795, 24774, 24796, 24798

and 24799 of 2006 whereby she quashed the decision of the Medical Council of India (for short, 'the Council') not to grant registration to the contesting respondents on the ground that they have undergone part of their training in an institution established in India without obtaining permission from the Central Government/Council as required under Section 10A of the Indian Medical Council Act, 1956 (for short, 'the 1956 Act') and directed the Council to grant provisional registration to them.

For deciding the question raised by the appellant, we have taken the facts from the records of these appeals as also the records of Writ Petition Nos.25564 of 1998 and 25123 of 1999 and Writ Appeal Nos.1402 and 1451 of 2000, which were summoned from the Registry.

Vignan Educational Foundation, Bangalore (hereinafter described as 'the Foundation') is a registered Trust. In furtherance of the Memorandum of Understanding dated 6-12-1995 entered between the Government of Tanzania and the Foundation, the latter is said to have established International Medical and Technological University (IMTU) at Dar-Es-Salaam, Tanzania. The Foundation also established a centre at Guntur, Andhra Pradesh for conducting Foundation Training and Orientation for the students who were admitted in the MBBS course conducted at Tanzania. In 1998, the Foundation invited applications for admission into MBBS, MDS and BDS courses to be conducted at IMTU. For this purpose, an advertisement was got published in EENADU (Telugu Daily) dated 30-8-1998 with a stipulation that the medical degrees and courses of IMTU are recognized by the Government of India. The contesting respondents, who had passed Higher Secondary Examination with Science, applied for admission in MBBS course. They attended pre-clinical and para-clinical courses in the campus of IMTU at Guntur from

1998 to April 2002 and shifted to Tanzania sometime in July 2002. They are said to have studied in Tanzania till December 2003 and successfully passed the final examination. They appeared in the screening test held in September 2005 by the National Board of Examination and cleared the same. In November 2005, they approached the Council for provisional registration. After sometime, they filed writ petitions in this Court for issue of a mandamus to the Council to decide their applications. One such writ petition filed by J. Sai Prasanna was registered as Writ Petition No.8734 of 2006. The same was disposed of by the learned Single Judge on 26-4-2006 with a direction to the Council to decide the application within four weeks.

In compliance of the direction given by the learned Single Judge, the Ad hoc Committee appointed by the Hon'ble Supreme Court and the Executive Committee of the Council considered the issue of grant of provisional registration to the respondents and decided that the students who have undergone part of the training in an institution in India without obtaining permission from the Central Government/Medical Council of India as per the requirement of Section 10A of the 1956 Act are not eligible for provisional registration. The respondents were informed about the Council's decision vide communications dated 27-4-2006 and 2-8-2006. They challenged the same by filing writ petitions under Article 226 of the Constitution of India.

In the affidavits filed by them, the respondents pleaded that the decision of the Council is ultra vires the provisions of the 1956 Act as amended by Act No.34 of 2001 and the Screening Tests Regulations, 2002 (for short, 'the Regulations') framed by the Council under Section 33 of the 1956 Act. They relied on order dated 14-7-2000 passed by the learned Single Judge in Writ Petition Nos.25123 of 1999 and 25564 of 1998 and judgment dated 24-11-2000 of the Division Bench

in Writ Appeal Nos.1402 and 1451 of 2000 and pleaded that the degree awarded to them by IMTU, Tanzania will be deemed to have been recognized in terms of Section 13 (4-A) of the 1956 Act and, as such, they are eligible for provisional registration.

In the counter-affidavits filed on behalf of the Council, reliance was placed on the judgment of the Supreme Court in **State of Kerala v. T.P. Roshana**[1], **Medical Council of India v. State of Karnataka**[2], and **Dr.Preeti Srivastava v. State of M.P.**[3] and it was pleaded that the petitioners who studied partly in IMTU, Guntur and partly in IMTU, Tanzania are not entitled to be registered under the 1956 Act and the Regulations framed thereunder.

The learned Single Judge referred to the provisions of Section 10A, 11, 12 and 13 of the 1956 Act and the Regulations, order dated 14-7-2000 passed by the learned Single Judge in Writ Petition Nos.25123 of 1999 and 25564 of 1998 and the judgment of the Division Bench in Writ Appeal Nos.1402 and 1451 of 2000 and held that the petitioners cannot be denied registration on the premise that the course conducted by IMTU, Guntur is not recognized by the Central Government and the Council. The learned Single Judge also noted the fact that some of the similarly situated candidates were granted registration by the Council after the authenticity of the degrees got verified by the High Commission of India at Tanzania and held that the writ petitioners cannot be denied provisional registration on the ground that the degree awarded by IMTU is not recognized by the Council.

Shri P. Sriharsha Reddy, learned counsel appearing for the appellant argued that the reasons assigned by the learned Single Judge for entertaining and accepting the prayer of the contesting respondents are legally untenable and the direction given by her for

grant of provisional registration is liable to be set aside because the respondents have not obtained degree on the basis of a course conducted by a recognized Foreign Medical Institution. Learned counsel pointed out that the candidates had studied pre-clinical and para-clinical courses at Guntur for a period of almost four years and, therefore, the MBBS Degree awarded to them by IMTU, Tanzania cannot be treated as recognized for the purpose of Section 13 (4-A) of the 1956 Act.

Learned counsel for the contesting respondents argued that in view of the order passed by the learned Single Judge and the judgment of the Division Bench in the earlier round of litigation, the degrees awarded to their clients by IMTU, Tanzania will be deemed to be recognized medical qualifications for the purposes of the 1956 Act and the learned Single Judge rightly annulled the decision of the Council not to entertain their application for provisional registration.

We have given serious thought to the entire matter. Before proceeding further, we consider it proper to notice the backdrop in which the writ petition filed by the Foundation and another was allowed by the learned Single Judge and the writ appeals preferred by the State Government were dismissed by the Division Bench. The ratio of the order of the learned Single Judge also deserves to be noticed.

One Dr. R. Sukumar filed a petition in public interest for restraining College of Medicine, IMTU, Guntur and the Foundation from making admissions pursuant to notifications dated 30-8-1998 and 1-9-1998. He claimed that the college is not recognized by the Government of India and the management of the college has not obtained the essentiality certificate from the Government of Andhra Pradesh as per the requirement of the Andhra Pradesh Education Act, 1982 and that the college had not been granted permission by the

Council in terms of Section 10-A of the 1956 Act. The prayer made by Dr. R. Sukumar was as under:

> "Therefore, it is prayed that the Hon'ble Court may be pleased to issue an appropriate Writ, order or direction more particularly one in the nature of Writ of Mandamus to declare the establishment of the 1st respondent college by the 2nd respondent without permission from respondent Nos.3 & 5 to 8 and the inaction of the respondents 3 to 8 in not taking action against the 1st and 2nd respondents as illegal, arbitrary and unconstitutional apart from being violative of principles of natural justice and consequently direct the respondents 3 to 8 to take action against the 1st and 2nd respondents by seeing that the 1st respondent college is closed and 1st and 2nd respondents are prosecuted and pass such other order or orders as the Hon'ble Court deems fit, proper and appropriate in the circumstances of the case.
>
> It is further prayed that the Hon'ble Court may be pleased to direct the respondents 1 and 2 not to make admissions pursuant to their notifications dated 30-8-1998 and 1-9-1998 and pass such other order or orders as the Hon'ble Court deems fit, proper and appropriate in the circumstances of the case.
>
> It is also prayed that the Hon'ble Court may be pleased to direct the 4th respondent to register a crime and take action in accordance with law basing on my complaint dated 1-9-1998 and pass such other order or orders as the Hon'ble Court deems fit, proper and appropriate in the circumstances of the case.

As a sequel to filing of the writ petition by Dr. R. Sukumar, the Government of Andhra Pradesh and Dr. NTR University of Health Sciences (for short, 'the University') issued public notices warning the students that IMTU, Guntur is not recognized by the Central Government, the State Government and the Council.

With a view to counter this, the Foundation and IMTU, Guntur (represented by Shri K. Subba Rao, who described himself as

Chairman of the Board of Governors) filed Writ Petition No.25123 of 1999. The description of the petitioners and the prayer made in that petition were as under:

"**Description:**

1. M/s. Vignan Educational Foundation, rep. by its Trustee Sri B. K. Rao, S/o. late B. Gowrinatham, 5/3, Hosur Road, Bangalore.

2. International Medical and Technological University (I.M.T.U.), rep. by its Chairman, Board of Governors, Sri K. Subba Rao, S/o.K. Chinna Veeraiah, Ring Road, Guntur.

**Prayer:**

"It is therefore prayed that this Honourable Court may be pleased to issue a Writ of Mandamus or any other appropriate writ and direct the respondents to act in accordance with law and forbear from interfering with the activity of the petitioners in conducting Foundation Training and Orientation at Guntur in M.B.B.S. and M.C.A. Courses of the 2nd petitioner University and grant such other relief as it deems fit and proper in the circumstances of the case."

In the affidavit filed by him, Shri K. Subba Rao referred to the Memorandum of Understanding dated 6-12-1995 entered with the Government of Tanzania for establishment of IMTU comprising a Medical College (256 seats per year), a Dental College (100 seats), a College of Pharmacy (100 seats), a Nursing College (100 seats), a Multi-Specialty General Teaching Hospital with Post Graduate Courses in all departments and a Multi-Specialty Dental Hospital along with Post Graduate courses in all departments, at Dar-Es-Salaam, Tanzania. He also referred to the recognition granted to IMTU, Guntur by the Government of Tanzania and the inspection carried out by the team of the Council on 16-9-1999. He then referred

to Writ Petition No.25564 of 1998 filed by Dr.R. Sukumar and the notices issued by the Government of Andhra Pradesh and the University. In paragraph 4 of his affidavit, Shri K. Subba Rao averred that the petitioners are conducting Foundation Training and Orientation at Guntur and thereafter the students are taken to Tanzania where the courses will be concluded and pleaded that the provisions of the 1956 Act, the 1982 Act and N.T.R. University of Health Sciences Act are not attracted in the case of the petitioners and they cannot be prevented from undertaking Foundation Training and Orientation. For better understanding of the case set up by the parties, paragraph 4 of the affidavit of Sri K. Subba Rao is extracted below:

> "4. It is submitted that the respondents do not have authority of law to prevent the petitioners from continuing the educational courses. The petitioners are conducting Foundation Training and Orientation at Guntur and thereafter the students are taken to Tanzania where the courses will be concluded. The State Authorities are taking an objection that the conduct of Foundation Training and Oritentation at Guntur cannot be continued on the ground that no such activity is permissible without permission as contemplated by the A.P. Education Act and the N.T.R. University of Health Sciences Act. It is submitted that the objection of the State Authorities is not supported by any law which is operating for the time being in force. The A.P. Education Act, 1982 is not attracted to the educational institutions which are located in a foreign country. Conduct of a part of the course by a foreign University does not amount to establishment of an educational institution within the meaning of the said Act. Similarly, the N.T.R. University of Health Sciences Act also does not apply to the circumstances of a foreign University conducting a part of its course in India. It is appropriate to state that the Indian Medical Council Act, 1956 also does not apply to a foreign University conducting a part of its course in India even if the educational course is one relating to Medical Sciences. Section 12 of the said Act provides for recognition of medical qualifications granted by the medical institutions in countries

with which there is a scheme of reciprocity. It is submitted that conduct of a part of the course by a foreign university is totally different from recognition of the Degree of a foreign university by the Indian Medical Council. In fact, the petitioners have applied for recognition of their degree by the Medical Council of India and the same is in process as the Medical Council has already conducted an inspection over the infrastructure and other aspects of the 2nd petitioner University Medical College at Tanzania. Suffice it to say that no permission/recognition is required for conducting a part of the Medical course at Guntur under any of the above said enactments. In this view of the matter, the respondents have no authority of law to interfere with the activity of the petitioners in conducting Foundation Training and Orientation at Guntur. The press releases which emanated from the respondents are resulting in serious injury to the petitioners. The petitioners have developed a highly professional network in their pursuit of establishment of a University Medical College at Tanzania and the unjustified interference of the respondents is resulting in serious loss and rendering the petitioners to disrepute among the public at large. It is relevant to submit here that there are various foreign Universities which are conducting part of the educational courses including Medical Sciences at Manipal, State of Karnataka and various other places in the country. To the knowledge of the petitioners, no other State Government has taken objection in the direction which the respondents are attempting to prevent educational institution from reaching prosperity. There is no legal/constitutional bar in the activity of the petitioners in conducting a part of the medical courses and thereafter taking the students to Tanzania for completing the course, conduct of an examination and issue of certificates.

The relative value of a Certificate of Degree by a foreign University cannot be a matter which is within the control of the respondents. It is for the students who choose to select as to which course and which university would enlighten/improve their academic career. Thus either in law or in equity, the respondents do not have any authority or jurisdiction to interfere with the activity of the petitioners. As the petitioners are subjected to unauthorised defamation, the petitioners are

constrained to seek indulgence of this Hon'ble Court."

(emphasis added)

The above noted two writ petitions were disposed of by the learned Single Judge by a common order dated 14-7-2000. The learned Single Judge noted that IMTU, Guntur, which has described itself as a University, had invited applications from the eligible candidates for admission to degree courses with a clear understanding that the students will be subjected to Foundation Training and Orientation in MBBS and MCA and then they will be shifted to the college at Dar-Es-Salaam of Tanzania and held that the activity undertaken by petitioner No.2 of conducting pre-clinical training for a period of two years as a prelude to shifting the candidates to Dar-Es-Salaam is not covered by the provisions of the 1956 Act, 1982 Act or the law by which the university was established. The learned Single Judge held that the petitioners of Writ Petition No.25123 of 1999 have not established any medical college and the transit courses conducted by them cannot be construed as establishing a college. The learned Single Judge further held that the petitioner university has to be treated like any other university recognized by the government and, therefore, it has to be given due status of a recognized university of Tanzanian government. The relevant extracts of the order passed by the learned Single Judge are reproduced below:

> "… … The 2nd petitioner is a foreign University established at Tanzania by virtue of Memorandum of Understanding between the 1st petitioner and the Tanzanian Government. Even the Medical College was established at Dar-Es-Salaam. <u>The only activity which is being carried on by the petitioners is that pre-clinical training is being arranged in Andhra Pradesh at Guntur for two years and thereafter they will be shifted to Dar-Es-Salaam for further studies.</u> The syllabi which is followed and the course of instructions and the other curriculum are neither prescribed by the Medical Council of India nor by the University

of Health Sciences. It is only prescribed by the 2nd petitioner-University established at Dar-Es-Salaam, Tanzania. Thus, it is crystal clear that the petitioners have not established any Medical College or other colleges in Andhra Pradesh and that neither the A.P. Education Act nor the NTR University of Health Sciences Act or the IMC Act are applicable to such University. Simply because the transit courses are conducted in Andhra Pradesh, it would not be construed as establishing of a college. In fact, it is clearly stated by the petitioners that such type of arrangements are also made in other States where the foreign Universities are conducting part of the educational courses including Medical Sciences, at Manipal, State of Karnataka and various other places in the country. Be that as it may, when the college has not been established and when the courses offered by the petitioners are not those which are prescribed under the provisions of A.P. Education Act and the IMC Act and the degrees awarded by the 2nd petitioner – University are not awarded by the Universities in India, in such a situation, it would be most inappropriate to contend that the petitioners have been conducting the courses in contravention of the provisions of the Act. In fact, having realized the situation, the Government of Andhra Pradesh did not in specific words stated that the petitioners are violating the provisions of the A.P. Education Act. On the other hand, the Government of India has clearly stated that the petitioners do not fall under the provisions of the A.P. Education Act or the University of Health Sciences Act or the IMC Act. … …

When the Foreign University admittedly is not amenable to the local Acts, there is no obligation on the part of the respondents to issue such press notifications. The issuance of press notification itself implies that it is a sort of warning to the public. Warnings are issued when something goes wrong with the Institution to keep the public alert. In the instant case, there is no such irregularity or illegality and when the Institution is not subjected to the jurisdiction of the local Acts, the question of issuing any public notification or alerting the public either by way of press notification or other media would not arise and it would be detrimental to the interest of the petitioners-University. Such acts are uncalled for and unwarranted. The

petitioners-University has to be treated like any other University recognized by the Government and in the instant case it is recognized by the Government of Tanzania. Therefore, it has to be given the due status of a recognized University of Tanzanian Government. It is not as if the petitioners are claiming that they are recognized by the Government of India and trying to mislead the public. Though the learned Government Pleader submits that no harm is caused to the petitioners if such public notice is issued, I am unable to accept this submission. The respondents have to conduct the affairs within the parameter of the law. If the petitioners have violated any law or acting to the detriment of the interest of the citizens in contravention of the laws of the country, it is open for them to issue such notifications. But by issuing such notifications, they are unnecessarily creating suspicion in the minds of the people and there is every possibility that the petitioners may not get the required number of candidates for admission. Thus, I am satisfied that the interference of the respondents is wholly illegal, arbitrary and not supported by any statutory provisions."

The Government of Andhra Pradesh questioned the order of the learned Single Judge in Writ Appeal Nos.1402 and 1451 of 2000. While dismissing the appeals, the Division Bench declared that the observation made by the learned Single Judge about the status of the petitioner are unwarranted and declared that the same shall stand deleted. The penultimate paragraph of judgment dated 24-11-2000 passed by the Division Bench reads thus:

"For the foregoing reasons, the observations of the learned Single Judge that "the petitioners-University has to be treated like any other University recognized by the Government and in the instant case it is recognized by the Government of Tanzania. Therefore, it has to be given the due status of a recognized University of Tanzanian Government", are unwarranted, more especially because, no such relief was sought by the Institution. Hence, the above observations of the

learned single Judge stand deleted."

In our opinion, order dated 14-7-2000 passed by the learned Single Judge in Writ Petition No.25123 of 1999 has to be read in the backdrop of the prayer made by the petitioners that the State Government, University and Council cannot interfere with their activity of giving Foundation Training to the students seeking admission in MBBS course. The observations made by the learned Single Judge about the status of IMTU, Guntur as a University for the purpose of Section 13(4-A), which were clearly beyond the scope of the writ petition, have already been deleted by the Division Bench. Therefore, the adjudication made in the previous round of litigation involving the Foundation and IMTU, Guntur does not have any bearing on the status of the degrees awarded to the contesting respondents by IMTU, Tanzania.

At the cost of repetition, we consider it necessary to observe that the case projected by the petitioners of Writ Petition No.25123 of 1999 was that the Foundation and IMTU, Guntur are conducting Training and Orientation for the students who were to take admission in MBBS course at Tanzania. It was not the pleaded case of the petitioners that they were conducting pre-clinical and para-clinical courses at Guntur as part and parcel of the degree course conducted by IMTU, Tanzania. Therefore, the question whether IMTU, Tanzania could conduct part of the MBBS course in the centre established by the Foundation at Guntur without attracting Section 10A of the 1956 Act did not arise for consideration in the previous round of litigation. The learned Single Judge accepted the plea of the petitioners that the State Government, Council and University cannot interfere with their activity of conducting Foundation Training and Orientation at Guntur on the premise that the provisions of the 1956 Act, 1982 Act and NTR

University of Health Sciences Act are not attracted qua their activity.

In the writ petitions, which have given rise to these appeals, the contesting respondents claimed that they had attended MBBS classes in the campus of the University at Guntur for pre-clinical and para-clinical courses from 1998 to April 2002 and joined the campus at Tanzania for completing the clinical course from July 2002 to November 2003. It is, thus, evident that 2/3rd of the study pertaining to MBBS course which led to the award of degree to the petitioners by IMTU, Tanzania was attended by them at Guntur and not in Tanzania. The course studied by them at Guntur was not a Foundation Training and Orientation as a prelude to their admission in the regular course leading to the award of MBBS Degree by IMTU, Tanzania. Rather, it was an integral part of MBBS course. If what has been pleaded in the writ petition filed by the contesting respondents is correct, then there is no escape from the conclusion that the averments contained in Writ Petition No.25123 of 1999 were false and the learned Single Judge as well as the Division Bench were mislead in recording a finding that the activity undertaken by the petitioners of Writ Petition No.25123 of 1999 had nothing to do with the MBBS course and for organizing Foundation Training and Orientation at Guntur they were not required to take permission from the Council in terms of Section 10A of the Act.

In view of the above, we hold that the decision of the learned Single Judge in Writ Petition No.25123 of 1999 and the judgment of the Division Bench in Writ Appeal Nos.1402 and 1451 of 2000 could not have been relied by the learned Single Judge for granting relief to the writ petitioners (the contesting respondents herein).

Although it is not borne out from the record as to when IMTU, Tanzania started part of MBBS course in the centre established by the Foundation at Guntur, but this much is evident that the petitioners

attended more than 2/3rd of the MBBS course (pre-clinical as well as para-clinical) at IMTU, Guntur (which described itself as a university in Writ Petition No.25123 of 1999). Undisputedly, the MBBS course recognized by the Council is of 4½ years duration followed by one year's internship. The first, second and third year courses are of 1½ years each. The contesting respondents are said to have attended pre-clinical and para-clinical courses at Guntur from 1998 to April, 2002. This shows that they had studied for major part of the course leading to the award of degree of MBBS at a centre, which was not recognized by the Council and which was being run by the Foundation and/or IMTU, Tanzania without obtaining permission from the Council as per the mandate of Section 10A of the 1956 Act.

In our opinion, the Memorandum of Understanding signed between the Foundation and the Government of Tanzania in 1995 could not be used by the Foundation as a camouflage for conducting medical course at Guntur without establishing a college after taking permission from the Council in terms of Section 10A of the 1956 Act read with the Establishment of New Medical Colleges, Opening of Higher Courses of Study and Increase of Admission Capacity in Medical Colleges Regulations, 1993, which were framed by the Council in exercise of the power vested in it under Section 10A read with Section 33 of the 1956 Act. However, as this aspect of the matter has not been considered by the learned Single Judge and the parties did not get opportunity to project their respective cases on this issue, we feel that it will be in the interest of justice to remit the matter to the learned Single Judge for fresh adjudication of the writ petitions.

In the result, the appeals are allowed. The orders of the learned Single Judge are set aside and the writ petitions are remanded for fresh adjudication in the light of the observations made in this

judgment.

Keeping in view the nature of the case, we direct that all the writ petitions be listed before the Single Bench on 12th April, 2007.

As a sequel to allowing the appeals, all miscellaneous petitions filed by the appellant for interim relief are disposed of as infructuous.

**G.S. SINGHVI, CJ**

March 26, 2007

**C.V. NAGARJUNA REDDY, J**

svs

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[1] (1979) 1 SCC 572 = AIR 1979 SC 765

[2] (1998) 6 SCC 131

[3] (1999) 7 SCC 120